

**October 31, 2008**

## **New Advisory Opinion**

On October 30, the Citizen's Ethics Advisory Board met and decided on one new advisory opinion, summarized below. Click on the AO number to read the full text of the opinion.

### **2008-8, Interpretation of General Statutes 1-84 (n), Regarding Principals of Investment Firms and Campaign Contributions to the State Treasurer**

The Citizen's Ethics Advisory Board concluded that, for purposes of General Statutes § 1-84 (n), if an individual makes a contribution to the State Treasurer's campaign *before* becoming a principal of an investment services firm, the contribution will be attributed to the firm once the individual becomes a principal, thus prohibiting the firm from doing business with the Office of the Treasurer during the incumbent's term of office. The Board ordered that the enforcement of this opinion be delayed until June 30, 2009. [See Order.](#)

## **Necessary Expenses Demystified**

"Necessary Expenses" are defined in Connecticut General Statutes § 1-79 (q) as a public official's or state employee's expenses for an article, appearance or speech, or for participation at an event, in his or her official capacity. Necessary expenses are limited to travel, lodging for the nights before, of and after the appearance, speech or event, meals and any related conference or seminar registration fees.

It is permissible for so-called "restricted" as well as "non-restricted" donors to provide such expenses if an official/employee is actively participating in an event as described above.

When a public official or state employee receives payment or reimbursement for the following expenses in connection with his or her active participation in an event, he or she must file a [Report of Necessary Expenses](#) (ETH-NE) with the Office of State Ethics within 30 days of receiving such payment or reimbursement:

- Any lodging – in state or out of state;
- Out of state travel; or
- A combination of the two (e.g., travel to out-of-state event with overnight lodging).

*(Note: if necessary expenses are provided by the State of Connecticut, the Federal Government, or another government entity, the recipient is not required to file the ETH-NE.)*

*Example 1:* A DCF employee traveled to Cromwell to speak at an event and was reimbursed by the event sponsor for travel expenses, meals and the conference

registration fee. The employee attended the event during the day, drove home that evening and did not require lodging. Because no lodging or out-of-state travel are present in this scenario, the employee does not have to file the ETH-NE with the OSE.

*Example 2:* A DCF employee traveled to Cromwell to speak at an event and a severe snow storm hit the state. The employee lives in Waterbury and could not make it home, so the event sponsor covered her expenses for travel, overnight lodging in Cromwell, meals and the conference registration fee. Because the employee was reimbursed for lodging, she is required to file the ETH-NE with the OSE (detailing not only the lodging, but also the travel).

*Example 3:* A DCF employee traveled to Amherst, MA, to speak at an event. She drove home to Waterbury afterwards and did not require lodging. The event sponsor provided her with travel expenses, meals and the conference registration fee. Because this scenario involves out-of-state travel, the employee is required to file the ETH-NE with the OSE.

*Example 4:* A DCF employee traveled to Amherst, MA, to speak at an event and stayed in a hotel the night before her speech. A grant from the Federal Government administered by the employee's agency provided funds for the employee's travel, lodging, meals and conference registration fee. Because the expenses were paid by the Federal Government, the employee does not have to file the ETH-NE with the OSE.

The official *Report of Necessary Expenses* form is available on the [OSE's Web site](#). Only this form should be used when filing.

Sincerely,

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